APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,603	09/15/2003	K. Scott Ramey	11157SSUS04C (NORT10-0034	2370

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EXAMINER
ANYA, CHARLES E

ART UNIT	PAPER NUMBER
2194	

NOTIFICATION DATE	DELIVERY MODE
05/03/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@munckcarter.com
munckcarter@gmail.com

	Application No.	Applicant(s)
Advisory Action ***Before the Filing of an Appeal Brief***	*10/662,603*	RAMEY ET AL.
	Examiner	**Art Unit**	
	CHARLES E. ANYA	2194	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>07 April 2010</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: *none*.

   Claim(s) objected to: *none*.

   Claim(s) rejected: *35,37-40,42-45,47-50 and 52-64*.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Hyung S. Sough/
Supervisory Patent Examiner, Art Unit 2194
04/27/10

Continuation of 11. does NOT place the application in condition for allowance because: The Examiner contends that the invention as currently claimed is completely examined and rejected by the prior art references. With regards to arguments, Applicant argues in substance that (1) the Szlam prior art does not teach a communication channel between a web application and a call server system, (2) it is not clear which component of the Szlam prior art teaches the claimed wrapper, (3) the Echols prior art does not teach a "web application", (4) there is no motivation to combine the Szlam and Echols prior arts because the teaching of the Echols prior art is not related to call control commands or translation of call control commands sent from a web application and accessed by a web server.

The Examiner respectfully traverses Applicant's arguments:

As to point (1), as the rejection shows, the Examiner agrees the Szlam prior art does not teach a communication channel between a web application and a call server system, hence the introduction of Echols prior art.

As to point (2), as the premable suggests the "wrapper' enables a web application to communicate with a call server and comprises a providing and translating steps. While the Szlam prior art is silent with reference to the "providing step" it does teach the "translating step". The Szlam prior art discloses a method and an apparatus that allows a user to remotely access devices or equipment, services and applications at a user's office, regardless of where the user is currently located, and regardless of what devices are present at the current location of the user. To access the devices the user employs the services of a computing device, such as a portable communications device, personal computer, a network computer, a JAVA station, a palm-size (handheld) computer, frequently referred to as a Personal Digital Assistant (PDA), etc. The computer device includes a Browser (col. 7 Lines 60 - 67) or "web browsing" application (col. 16 lines 5 - 14) and this Browser or "web browsing" application is functionally equivalent to claimed web application. Requests (control call commands like call forwarding, call conferencing and phone calls) from the computer device/Browser/"web browsing" application is translated by a controller (Controller 225 Col. 9 Lines 23 - 61) to a format understandable or executable by a PBX server (claimed call server).

As to point (3), contrary to Applicant assertion the Echols prior art does teach a web application. The Echols prior art teaches a "web browser" (claimed web application) that is connected to a switch including a web server via voice and data channels (Col. 2 Lines 48 - 66). The Echols prior art is used in this rejection to show a communication channel provided between a web application and call server. The "web browser" which is functional equivalent to the claimed web application is connected to web sever (claimed call server) via the voice and data channels.

As to point (4), although the Echols prior art discloses control call functions is used to address a different issue as described above.